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FM AMEMBASSY RANGOON
TO RUEHC/SECSTATE WASHDC IMMEDIATE 5405
INFO RUCNASE/ASEAN MEMBER COLLECTIVE
RUEHBJ/AMEMBASSY BEIJING 1236
RUEHBY/AMEMBASSY CANBERRA 0010
RUEHKA/AMEMBASSY DHAKA 4389
RUEHLO/AMEMBASSY LONDON 1870
RUEHNE/AMEMBASSY NEW DELHI 3609
RUEHFR/AMEMBASSY PARIS 0546
RUEHUL/AMEMBASSY SEOUL 7108
RUEHKO/AMEMBASSY TOKYO 4721
RUEHCI/AMCONSUL CALCUTTA 0974
RUEHCN/AMCONSUL CHENGDU 0978
RUDKIA/AMCONSUL CHIANG MAI 0711
RHHMUNA/CDR USPACOM HONOLULU HI
RUEHGV/USMISSION GENEVA 2932
RHEHNSC/NSC WASHDC
RUCNDT/USMISSION USUN NEW YORK 0595
RUEKJCS/SECDEF WASHDC
RUEHBS/USEU BRUSSELS
RUEKJCS/JOINT STAFF WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 RANGOON 001670

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STATE FOR EAP/MLS; PACOM FOR FPA

E.O. 12958: DECL: 11/01/2016

TAGS: PGOV PHUM PREL BM

SUBJECT: BURMESE REGIME FILES CHARGES AGAINST OPPOSITION
LEADERS

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Classified By: P/E Chief Leslie Hayden for Reasons 1.4 (b) and (d)

¶11. (C) Summary: Reliable Embassy sources have told us that on November 6 the regime charged Min Ko Naing and the four other detained 88 Generation Student (88GS) leaders under the 1950 Emergency Provision Act, a catch-all law the regime uses to prosecute most political prisoners. The UN has not yet confirmed to the 88GS leaders that Gambari will meet with them during his visit. 88GS leaders plan to present petitions from their signature campaign to Gambari and to ask the UN to support their call for a public referendum that would ask voters whether they support the results of the 1990 national election and the initiation of a tripartite dialogue among the NLD, SPDC, and the ethnic groups. Locals speculate that the ruling generals will not agree to any concessions that threaten their grip on power and Gambari will return to New York with little to show for his trip. The Russian Ambassador informed the Charge that he delivered a message to the MFA that Gambari should not leave empty-handed. End Summary.

¶12. (C) On November 8, rumors began to circulate through Rangoon that the five detained 88GS leaders had been charged in Bahan Township court. Today, reliable sources from the Burmese judicial community, as well as 88GS leader Jimmy and NLD leaders, separately confirmed that the five had been charged on November 6 under the 1950 Emergency Provision Act (5J), a catch-all law the regime uses to jail any who annoy or challenge them.

¶13. (C) Earlier this week, in a meeting between emboffs and 88GS leader Mya Aye, the group's interim leader told us they are still waiting to hear from UN Resident Coordinator Petrie whether U/SYG Gambari would meet with them during his visit.

88GS leaders Mya Aye and Jimmy have urged the UN to seek a meeting for Gambari with them, and also with detained 88GS leader Min Ko Naing. If they do obtain a meeting, the leaders plan to present Gambari with petitions from their signature campaign. They also plan to request that the UN and the international community push for and monitor a referendum to allow the Burmese people to express their support for the results of the 1990 election and for the initiation of a tripartite dialogue among the NLD, the SPDC, and representatives of the ethnic minority groups. Mya Aye emphasized that the 88GS are willing to accept the military as a "legitimate national force" that should be included in any national reconciliation process. He added that the students have no wish to use Gambari's visit to bring disorder or to stage a violent overthrow of the government.

¶4. (C) In a separate meeting with us, 88GS leader Jimmy emphasized that the group plans to continue to push for more public participation in their movement by emphasizing the peaceful nature of their campaign and the legality of their protest actions. Jimmy said that during the signature campaign the leaders noticed that residents of rural areas had become more emboldened, in contrast to urban residents. He speculated that this was because intelligence, military, and police intimidation has focused on urban residents. Jimmy said the 88GS leadership will begin to reach out to rural communities to take advantage of this opportunity. Jimmy also thinks the positive public reaction to the signature and "wear white" campaigns has invigorated younger leaders of the NLD as well. He hopes that the 88GS movement will motivate the NLD leadership to be bolder in challenging the regime and reaching out to the public.

¶5. (C) The 88GS leaders report they are now being watched more closely by a special military intelligence unit Than Shwe created specifically to monitor students. They have

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heard from sympathetic contacts in rival Police Special Branch (SB) that this unit has asked for many of the students' prison files. They expect the regime to initiate a third wave of arrests soon. Aung San Suu Kyi's doctor told us a couple of weeks ago that he heard three more 88GS leaders would be arrested.

¶6. (C) Moreover, even the Russians are pressing the regime: the new Russian Ambassador told the Charge that during a visit to the Foreign Ministry earlier this week, he stressed that Gambari should not return from Burma empty-handed. While it is unusual for the regime to hear such a message from those who traditionally defend them in the UNSC, even the Russian Ambassador lamented that messages delivered to the Foreign Ministry are rarely relayed up the chain of command to the decision-maker at the top.

¶7. (C) Comment: Gambari's November 9-12 visit to Burma is drawing extra attention from all sides. While some students hold out hope that Gambari will secure the release of Min Ko Naing and his colleagues, the November 6 indictments signal a more ominous outcome. Given past experience and regime recalcitrance, we do not expect any concessions that will threaten their tight grip on power. It is more likely they will try to appease Gambari by offering modest gestures, releasing a few non-prominent political prisoners and promising to reduce restrictions on some forms of humanitarian assistance. End comment.

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